

Please type a plus sign (+) inside this box → ⊕

15364 U.S. PTO
10/786681

022504

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	A34446-A-PCT-USA-AA
First Inventor	Modak
Title	GENTLE-ACTING * see attached
Express Mail Label No.	ER589232735US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 70]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description

☒ Claim(s) [Total Sheets 1]

☒ Abstract of the Disclosure [Total Sheets 1]

- 4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets]
- 5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- 6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Letter, unsigned Declaration

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No.: PCT/US02/33865

Prior application information: Examiner

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Lisa B. Kole

Registration No. (Attorney/Agent)

35,225

Signature

Date

2/25/04

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**385**

Complete if Known

Application Number	To Be Assigned
Filing Date	February 25, 2004
First Named Inventor	Modak
Examiner Name	To Be Assigned
Art Unit	To Be Assigned
Attorney Docket No.	A34446-A-PCT-USA-AA

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee required under 37CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 385

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	2	- 20 =	0	X	9	=	0
Independent Claims	2	- 3 =	0	X		=	0
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

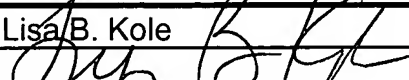
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**0**

SUBMITTED BY

Name (Print/Type)	Lisa B. Kole	Registration No. (Attorney/Agent)	35,225	Telephone	212-408-2500
Signature		Date	2/25/04		

(Complete if applicable)

CERTIFICATION UNDER 37 C.F.R. 1.8(a) OR 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail Certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the
Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

37 C.F.R. 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. 1.10*

☒ as "Express Mail Post Office to Address"
Mailing Label No. ER589232735US (mandatory)

Leroy Chick
Signature

Date: February 25, 2004

Leroy Chick
(type or print name of person certifying)

***WARNING:** Each paper of fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition. "Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Addendum Sheet 1

*Question 4 Addendum

4.a. Drawings are ☐ formal ☐ informal

* Question 5 Addendum

5.c. ☒ An unsigned oath or declaration is included.

* Question 8 Addendum

8.d. ☐ A sequence submission will follow.

* Question 9 Addendum

9.a. ☒ Assignment documents will follow.9.b. ☐ Assignment documents have been filed in parent application No.

* Question 11 Addendum

11.a. ☐ English translation will follow.

* Question 12 Addendum

12.a. ☐ Copies of IDS citations will follow.

* Question 15 Addendum

15.a. ☐ Certified copies of priority documents will follow.15.b. ☐ Certified copies of priority documents have been filed in parent application No.

Use the space below for additional information

--

Title (continued):

GENTLE-ACTING SKIN-DISINFECTANTS AND HYDROALCOHOLIC GEL FORMULATIONS

Addendum Sheet 2

18a. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 10/047,631 filed 10/23/01
Prior application information: Examiner Criares, T Group Art Unit: 1617

18b. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
Prior application information: Examiner _____ Group Art Unit: _____

18c. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
Prior application information: Examiner _____ Group Art Unit: _____

☐ Amend the specification by inserting before the first line the sentence(s)

☐ "This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ "This application is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No. _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No. _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No. _____, incorporated by reference herein

Priority under 35 U.S.C. §119 is claimed based upon the following applications.

Foreign Applications:

Country: _____	Serial No: _____	Filing Date: _____
Country: _____	Serial No: _____	Filing Date: _____
Country: _____	Serial No: _____	Filing Date: _____

Provisional Applications:

Serial No: _____	Filing Date: _____
Serial No: _____	Filing Date: _____
Serial No: _____	Filing Date: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Modak et al.
Serial No. : To Be Assigned Examiner : To Be Assigned
Filed : February 25, 2004 Group Art Unit: To Be Assigned
For : GENTLE-ACTING SKIN-DISINFECTANTS AND
HYDROALCOHOLIC GEL FORMULATIONS

LETTER

February 25, 2004

EXPRESS MAIL NO. ER589232735US

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450
Mail Stop Patent Application

Sir:

The present application is being filed as a continuation-in-part of International Application No. PCT/US02/33865, filed on October 23, 2002, and published in English as International Publication No WO03/034994, which is a continuation-in-part of, and claims priority to U.S. Patent Application Serial No. 10/047,631, filed October 23, 2001.

Due to an inadvertent formatting error, data in the rightmost column of Tables 2 and 3 was omitted from the International Application. The data is identical to information in Tables 2 and 3 of the U.S. priority application, Serial No. 10/047,631. A Request for Rectification was filed on October 24, 2004 and a Second Request for Rectification was filed on June 5, 2003 in

PATENT

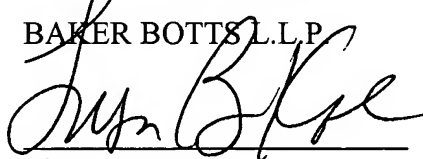
attempt to correct the error. Both Requests were denied by the International Bureau. The International Application has been republished with the refused Requests.

In an overabundance of caution, the present application is being filed as a continuation-in-part, instead of a continuation application. However, as indicated above, the omitted data can be found in U.S. Patent Application Serial No. 10/047,631, to which the present application claims priority. Therefore, the information omitted in International Application has priority to October 23, 2001, the filing date of U.S. Patent Application Serial No. 10/047,631.

Respectfully submitted,

BAKER BOTTS L.L.P.

By:



Lisa B. Kole

Patent Office Reg. No. 35,225

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44th Floor
New York, NY 10012-4498
212-408-2500

Attorney for Applicant